

IN THE CLAIMS:

Please amend claims 1, 3, 8, 11, 15, 30, 32, 36, 39, and 43 - 47. Please cancel claims 48 and 49. Please add claims 50 and 51.

1. (Currently amended) An automatic user preference detection system, comprising:

a score calculation module to determine a score for a media content file distributed to a user by a media content file distribution source, wherein the score is calculated based on a comparison of a length of time in which the user allows the media content file to be played at a user computing device relative to a total length of the media content file;

a preference determination module, independent of the user computing device, to determine a preference profile for the user of the media content distribution source, the preference profile being based on previously determined media scores for the user and a determination of local media content files stored on the user computing device, wherein the determination of the local media content files stored on the user device occurs after the preference determination module scans the user computing device to ~~determine the local media content files stored on the user computing device~~ regardless of whether the user is currently playing the local media content file;

a database to store the preference profile for the user of the media content file distribution source; and

a processing module to modify the preference profile based on the score, wherein the processing module further selects a second media content file to distribute to the user based on the preference profile.

2. (Previously amended) The system of claim 1, wherein the media content file is a music file.
3. (currently amended) The system of claim 1, wherein a rate at which the processing module modifies the preference profile is configurable.
4. (Previously amended) The system of claim 1, wherein the system determines the length based on the user's responses made with a user control point.
5. (Original) The system of claim 4, wherein the user control point is a remote control.
6. (Previously amended) The system according to claim 1, wherein the media content file is sent to the user via an Internet stream.
7. (Previously amended) The system of claim 1, wherein the processing module periodically selects testing media content files to distribute to the user, wherein the testing media content files are randomly selected to test whether the user's media content file preferences have changed.
8. (currently amended) The system of claim 1, wherein the processing module further modifies the preference profile based on responses of other users having similar media preferences.
9. (Currently amended) An automatic user preference detection system, comprising:  
  
a preference determination module, independent of a user computing device, to determine a preference profile for a user of a media content distribution source, the preference profile being based on a score determined based on a comparison of a length of time in which the user allows a media content file to be played at [[a]] the user

computing device relative to a total length of the media content file, previously determined media scores for the user and a determination of local media content files stored on the user computing device, wherein the determination of the local media content files stored on the user computing device occurs after the preference determination module scans the user computing device ~~to determine the local media content files stored on the user computing device~~ regardless of whether the user is currently playing the local media content file;

a database to store ~~[[a]]~~ the media content preference profile for the user of the media content file distribution source;

a read/write device to read data from and write data to the database; and

a processing module to modify the preference profile based on the score, wherein the processing module further selects a second media content file to distribute to the user based on the preference profile.

10. (previously presented) The system of claim 9, wherein the media content file is a music file.

11. (currently amended) The system of claim 9, wherein a rate at which the processing module modifies the preference profile is configurable.

12. (previously presented) The system of claim 9, wherein the system determines the length based on the user's responses made with a user control point.

13. (previously presented) The system of claim 9, wherein the media content file is sent to the user via an Internet stream.

14. (previously presented) The system of claim 9, wherein the processing module periodically selects testing media content files to distribute to the user, wherein

the testing media content files are randomly selected to test whether the user's media content file preferences have changed.

15. (currently amended) The system of claim 9, wherein the processing module further modifies the preference profile based on responses of other users having similar media preferences.

Claims 16 - 29 (Cancelled).

30. (currently amended) A method of automatically detecting media content preferences, comprising:

determining a score for a media content file distributed to a user by a media content file distribution source, wherein the score is calculated based on a comparison of a length of time in which the user allows the media content file to be played at a user computing device relative to a total length of the media content file;

storing a preference profile for the user of the media content file distribution source at the media content file distribution source which is independent of the user computing device, the preference profile being based on previously determined media scores for the user and a determination of local media content files stored on the user computing device, wherein the user computing device is scanned to determine the local media content files stored on the user computing device regardless of whether the user is currently playing [[he]] the local media content file;

modifying the preference profile based on the score; and

selecting a second media content file to distribute to the user based on the preference profile.

31. (Previously presented) The method of claim 30, wherein the media

content file is a music file.

32. (currently amended) The method of claim 30, wherein a rate at which the preference profile is modified is configurable.

33. (Previously presented) The method of claim 30, further including determining the length based on the user's responses made with a user control point.

34. (Previously presented) The method according to claim 30, further including sending the media content file to the user via an Internet stream.

35. (Previously presented) The method of claim 30, further including periodically selecting testing media content files to distribute to the user, wherein the testing media content files are randomly selected to test whether the user's media content file preferences have changed.

36. (currently amended) The method of claim 30, further including modifying the preference file based on responses of other users having similar media preferences.

37. (currently amended) An article comprising a storage medium having stored thereon instructions that when executed by a machine result in the following:

determining a score for a media content file distributed to a user by a media content file distribution source, wherein the score is calculated based on a comparison of a length of time in which the user allows the media content file to be played at a user computing device relative to a total length of the media content file;

storing a preference profile for the user of the media content file distribution source at the media content file distribution source which is independent of the user computing device, the preference profile being based on previously determined media

scores for the user and a determination of local media content files stored on the user computing device, wherein the user computing device is scanned to determine the local media content files stored on the user computing device regardless of whether the user is currently playing ~~[[he]]~~ the local media content file;

modifying the preference profile based on the score; and

selecting a second media content file to distribute to the user based on the preference profile.

38. (Previously presented) The article of claim 37, wherein media content file is a music file.

39. (currently amended) The article of claim 37, wherein a rate at which the preference profile is modified is configurable.

40. (Previously presented) The article of claim 37, wherein the instructions further result in determining the length based on the user's responses made with a user control point.

41. (Previously presented) The article of claim 37, wherein the instructions further result in sending the media content file to the user via an Internet stream.

42. (Previously presented) The article of claim 37, wherein the instructions further result in periodically selecting testing media content files to distribute to the user, wherein the testing media content files are randomly selected to test whether the user's media content file preferences have changed.

43. (currently amended) The article of claim 37, wherein the instructions further result in modifying the preference profile based on responses of other users having similar media preferences.

44. (currently amended)The automatic user preference detection system according to claim 1, wherein when the user allows multiple media content files to be played, in their entirety, for a predetermined length of time by not pressing a media control point, the score calculation module stops calculating the score for each successive media content file.

45. (currently amended)The automatic user preference detection system according to claim 9, wherein when the user allows multiple media content files to be played, in their entirety, for a predetermined length of time by not pressing a media control point, the score calculation module stops calculating the score for each successive media content file.

46. (currently amended)The method according to claim 30, wherein when the user allows multiple media content files to be played, in their entirety, for a predetermined length of time by not pressing a media control point, no score for each successive media content file is determined.

47. (currently amended)The article according to claim 37, wherein when the user allows multiple media content files to be played, in their entirety, for a predetermined length of time by not pressing a media control point, no score for each successive media content file is determined.

Claims 48 and 49 (cancelled).

50. (new) The automatic user preference detection system of claim 1, wherein the score for the media content file is stored in a temporary storage file and if the user allows multiple media content files to be played, in their entirety, for a predetermined length of time by not pressing a media control point, the score for the media content file

is not moved to a permanent storage file.

51. (new) An automatic user preference detection system, comprising:  
a preference determination module to create an initial preference profile for a user of a media content distribution source, the preference profile being based on the user's answers to preliminary questions submitted to the automatic user preference detection system and a determination of local media content files stored on the user computing device, wherein the determination of the local media content files stored on the user device occurs when the preference determination module scans the user computing device;  
a database to store the initial preference profile for the user of the media content file distribution source; and  
a processing module to select a media content file to distribute to the user based on the initial preference profile.

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